

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
ISA-ABDUL KARIM
 DEFENDANTS
 CORRECTION OFFICER DAYNE BALL; CAPTAIN KATIA LEON;
 CORRECTION OFFICER APONTE who was assigned to "Mod 10" in the
 Anna M. Kross Center on or around January 30, 2016; and CORRECTION
 ATTORNEYS (IF KNOWN)

 ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
 Stoll, Glickman & Bellina, LLP, 5030 Broadway, Ste. 652, New York, NY
 10034, 718-852-3710

 CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 USC Section 1983, prisoner condition of confinement

 Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned

 If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
[] 150 INSTRUMENT	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL			[] 410 ANTITRUST
RECOVERY OF	EMPLOYERS'	INJURY PRODUCT			[] 430 BANKS & BANKING
OVERPAYMENT &	LIABILITY	LIABILITY	PROPERTY RIGHTS		[] 450 COMMERCE
ENFORCEMENT	[] 340 MARINE		[] 820 COPYRIGHTS		[] 460 DEPORTATION
OF JUDGMENT	[] 345 MARINE PRODUCT	PERSONAL PROPERTY	[] 830 PATENT		[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	LIABILITY	[] 370 OTHER FRAUD	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
[] 152 RECOVERY OF	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK		ORGANIZATION ACT
DEFAULTED	[] 355 MOTOR VEHICLE				(RICO)
STUDENT LOANS	PRODUCT LIABILITY				[] 480 CONSUMER CREDIT
(EXCL VETERANS)	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	SOCIAL SECURITY	[] 490 CABLE/SATELLITE TV
RECOVERY OF	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 861 HIA (1395ff)	[] 850 SECURITIES/
OVERPAYMENT	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT	[] 862 BLACK LUNG (923)	COMMODITIES/
OF VETERAN'S	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT	[] 863 DIWC/DIWW (405(g))	EXCHANGE
BENEFITS			RELATIONS	[] 864 SSID TITLE XVI	
[] 160 STOCKHOLDERS	ACTIONS UNDER STATUTES	PRISONER PETITIONS	[] 740 RAILWAY LABOR ACT	[] 865 RSI (405(g))	[] 890 OTHER STATUTORY
SUITS	CIVIL RIGHTS	[] 463 ALIEN DETAINEE	[] 751 FAMILY MEDICAL		ACTIONS
[] 190 OTHER	[] 440 OTHER CIVIL RIGHTS	[] 510 MOTIONS TO	LEAVE ACT (FMLA)	FEDERAL TAX SUITS	[] 891 AGRICULTURAL ACTS
CONTRACT	(Non-Prisoner)	VACATE SENTENCE	[] 790 OTHER LABOR	[] 870 TAXES (U.S. Plaintiff or	[] 893 ENVIRONMENTAL
CONTRACT		28 USC 2255	LITIGATION	Defendant)	MATTERS
PRODUCT		[] 530 HABEAS CORPUS	[] 791 EMPL RET INC	[] 871 IRS-THIRD PARTY	[] 895 FREEDOM OF
LIABILITY		[] 535 DEATH PENALTY	SECURITY ACT (ERISA)	26 USC 7609	INFORMATION ACT
[] 196 FRANCHISE		[] 540 MANDAMUS & OTHER			[] 896 ARBITRATION
			IMMIGRATION		[] 899 ADMINISTRATIVE
REAL PROPERTY	[] 441 VOTING	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION		PROCEDURE ACT/REVIEW OR
[] 210 LAND	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS	APPLICATION		APPEAL OF AGENCY DECISION
[] 220 CONDEMNATION	[] 443 HOUSING/	[x] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION		[] 950 CONSTITUTIONALITY OF
[] 230 FORECLOSURE	ACCOMMODATIONS	[] 560 CIVIL DETAINEE	ACTIONS		STATE STATUTES
[] 240 RENT LEASE &	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT			
EJECTMENT	DISABILITIES -				
[] 240 TORTS TO LAND	EMPLOYMENT				
[] 245 TORT PRODUCT	[] 446 AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
[] 290 ALL OTHER	[] 448 EDUCATION				
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
 UNDER F.R.C.P. 23

 DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
 AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
 IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

 Check YES only if demanded in complaint
 JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Isa-Abdul Karim
 625 W. 140th St.
 New York, NY
 New York County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Unknown all defendants

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 12/11/18

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. 03 Yr. 1996)
 Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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